

STATE OF CALIFORNIA  
BEFORE THE COMMISSION ON JUDICIAL PERFORMANCE

INQUIRY CONCERNING A JUDGE

NO. 53

NOTICE  
OF  
FORMAL PROCEEDINGS

TO: JUDGE BOBBY D. YOUNGBLOOD

IT APPEARING THAT since January 5, 1981, and at all times herein, you have been a Judge of the Central Municipal Court District, County of Orange; and

Preliminary investigation having been made pursuant to the provisions of Rule 904 of the California Rules of Court concerning censure, removal, retirement or private admonishment of judges, during the course of which preliminary investigation you were afforded a reasonable opportunity to present such matters as you chose, and this Commission, as a result of said preliminary investigation, having concluded that formal proceedings to inquire into the charges against you shall be instituted pursuant to Section 18 of Article VI of the California Constitution and in accordance with Rules 901-902, California Rules of Court,

NOW, THEREFORE, you are hereby charged with wilful misconduct in office, conduct prejudicial to the administration of justice that brings the judicial office into disrepute, and violating your oath to well and faithfully discharge the duties of your office in the following particulars:

COUNT ONE

After you had given judgment for defendant in the small claims case of Flaherty v. Orell, No. 235431, and after you had received a letter from plaintiffs, Dr. and Mrs. Walter Flaherty, you summoned Dr. and Mrs. Flaherty back to court by letter dated June 2, 1981, for a "re-hearing". When the Flahertys appeared on or about June 30, 1981, you berated them from the bench and summarily jailed Dr. Flaherty for three days for contempt of court. No additional evidence was adduced, no notice of contempt proceedings was ever served upon Dr. Flaherty, and you denied him a stay and an opportunity to obtain counsel on the contempt.

COUNT TWO

On or about July 2, 1981, you presided in the small claims matter of Reid v. Pacific Telephone, No. 238621, even though you and your wife had been and were involved personally in numerous lawsuits with the defendant, Pacific Telephone. During the hearing, you interrupted and cut short the presentation by defendant's spokesperson and stated, "Let Ma Bell appeal", or words to that effect.

COUNT THREE

On or about July 2, 1981, you altered your previously given judgment in the small claims matter of Reid v. Pacific Telephone, No. 238621, based upon an ex parte telephone call from the plaintiff, without notice to the defendant.

On or about July 2, 1981, you and your bailiff, Deputy Attebury, at your direction, made telephone calls to employees of defendant, Pacific Telephone, stating that "someone was going to jail" if Mr. Reid's service was interrupted, that you would hold an employee of Pacific Telephone personally responsible for any such interruption of service, and threatening employees of Pacific Telephone with contempt of court.

You have the right to file a written answer to this charge within fifteen (15) days after service of this Notice upon you with the Commission on Judicial Performance, Room 3052 State Building, 350 McAllister Street, San Francisco, California 94102. Such answer shall be verified, shall conform in style to subdivision (c) of Rule 15 of the Rules on Appeal, and shall consist of the original and eleven legible copies.

BY ORDER OF THE COMMISSION ON JUDICIAL PERFORMANCE.

Dated: April 5, 1982

  
Chairman/Chairperson